

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

KIMURA, Eiji

U.S. Patent Application No. 10/812,012

Confirmation No. 2780

Filed: March 30, 2004

Group Art Unit: 2829

Examiner:

For: OPTICAL CHARACTERISTICS MEASURING APPARATUS, METHOD AND RECORDING MEDIUM

Dear Sir:

Transmitted herewith is a **Response to Notice of Non-Compliant Amendment and Preliminary Amendment** in the above identified application.

No additional fee is required.  
 Small entity status of this application has been established.  
 Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	12	20	0	x \$ 18 =	\$ 0.00
Independent Claims	9	9	0	x \$ 88 =	\$ 0.00
If multiple claims newly presented, add \$290.00					
Fee for extension of time					
<b>TOTAL FEE DUE</b>					<b>\$ 0.00</b>

A credit card authorization form in the amount of \_\_\_\_\_ is attached

The Commissioner is hereby authorized to charge payment of any *deficiency* in fees associated with this communication or credit any overpayment, to Deposit Account No. 07-1337, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

**LOWE HAUPTMAN & BERNER, LLP**

Benjamin J. Hauptman  
Registration No.: 29,310

USPTO Customer No. 22429  
1700 Diagonal Road, Suite 300  
Alexandria, Virginia 22314  
(703) 684-1111 BJH.jk  
(703) 518-5499 Facsimile  
Date: February 17, 2005



Docket No.: 4468-017A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

:

Inventor(s): KIMURA, Eiji

: Confirmation No. 2780

U.S. Patent Application No. 10/812,012

: Group Art Unit: 2829

Filed: March 30, 2004

: Examiner:

For: OPTICAL CHARACTERISTICS MEASURING APPARATUS, METHOD AND RECORDING MEDIUM

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**  
**AND PRELIMINARY AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed January 18, 2005, please enter the following Preliminary Amendment, as follows:

**Amendments to the Claims** begin on page 2 of this paper

**Remarks/Arguments** begin on page 9 of this paper.